



Docket No.: C1037.70052US00
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert L. Bratzler et al.
Serial No.: 10/668,050
Confirmation No.: 1942
Filed: September 22, 2003
For: IMMUNOSTIMULATORY NUCLEIC ACIDS AND CANCER
MEDICAMENT COMBINATION THERAPY FOR THE
TREATMENT OF CANCER
Examiner: Angell, Jon E
Art Unit: 1635

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: December 31, 2007

Pat R H Wall
Patrick R.H. Waller

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir

In response to the restriction requirement set forth in the Office Action mailed June 29, 2007, Applicant hereby elects Group I, with traverse, drawn to a method for treating a subject having or at risk of developing a cancer by administering an immunostimulatory oligonucleotide, including a non-CpG oligonucleotide and a poly-G nucleic acid and further administering a cancer medicament that is a chemotherapeutic agent, classified in class 514, subclass 44. Applicant further elects Taxol for the species of chemotherapeutic agent, and skin cancer for the species of cancer without traverse, for continued examination. Applicant believes that all the claims of Group I encompass the elected invention, including the elected species.